

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNY SHANNON,

Plaintiff,

vs.

STATE FARM INSURANCE COMPANY,

Defendant.

USDC Case No. 2:14-cv-14153
Hon.

WCCC Case No. 14-013137-NI
Hon. Susan D. Borman

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STATE FARM'S NOTICE OF REMOVAL

The Defendant, State Farm Insurance Company ("State Farm"), through its attorneys, Patrick, Johnson & Mott, P.C., removes the above action from the Wayne County Circuit Court to this Court, pursuant to 28 U.S.C. § 1446, based upon the following grounds:

1. The above action was filed in the Circuit Court for the County of Wayne, State of Michigan [Docket No. 14-013137-NI] and is now pending in that court. Process, including a summons and complaint, which was served upon State Farm on October 16, 2014, and copies of all process and pleadings served upon State Farm are attached as **Exhibit "A."**

2. State Farm is now, and was at the time of the commencement of this action, a corporation organized and existing under the laws of the State of Illinois, having its principal place

of business located in the City of Bloomington, State of Illinois. State Farm is, therefore, a resident of the State of Illinois and is not a citizen or corporation of the State of Michigan.

3. At all times material hereto, the individual improperly identified as the “Plaintiff,” Kenny Shannon was a citizen of the State of the Michigan as evidenced by Paragraph 4 of his Complaint (**Exhibit “A”**).

4. State Farm issued an insurance policy numbered 82-B4-T865-7 to Global Shannon Enterprises, LLC.

5. It is the citizenship of the members of a limited liability company, which determines the citizenship of the limited liability company for purposes of federal court diversity jurisdiction. *CMPS Inst., LLC v. MMG II, LLC*, 521 F.Supp.2d 616, 617-18 (E.D. Mich, 2007).

6. Based upon information and belief, Kenny Shannon, is the sole member of Global Shannon Enterprise, LLC.

7. Based upon information and belief, Global Shannon Enterprise, LLC is a real estate business, incorporated in the State of Michigan.

8. All communications between State Farm and Shannon Global Enterprises have been through Kenny Shannon, who resides in Wayne County, Michigan.

9. A controversy exists between State Farm and Global Shannon Enterprises, LLC, and the amount of controversy in this action is no less than the sum of \$113,000.00, exclusive of interest and costs, as evidenced by the Plaintiff’s Sworn Statement in Proof of Loss (attached as **Exhibit B**).

10. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332, due to the amount in controversy and the diversity of citizenship of the parties.

11. State Farm is, therefore, entitled to remove the above action from the Wayne County

Circuit Court to this Court pursuant to 28 U.S.C. § 1446(a).

Respectfully submitted,

PATRICK, JOHNSON & MOTT, P.C.

/s/ Shelly Lee Griffin
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Date: October 28, 2014

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PROOF OF SERVICE

The undersigned certifies that on **October 28, 2014**, my legal assistant Laura Martinico served copies of **State Farm's Notice of Removal and Proof of Service** upon:

Todd R. Perkins, Esq
The Perkins Law Group, PLLC
Attorneys for Plaintiff
615 S Griswold, Suite 400
Detroit, Michigan 48226
(first class mail)

Clerk of the Court
Wayne County Circuit Court
Two Woodward Avenue
Detroit, Michigan 48226
(via e-filing)

I declare under penalty of perjury that the above statement is true to the best of my knowledge, information and belief.

/s/Shelly Lee Griffin
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